

App. Serial No.: 09/776,730
Atty Docket No. HAR59 029
Petition Under 37 C.F.R. 1.181(a)

EXHIBIT C

Memorandum to File prepared by Ms. Forster reflecting conversation with Examiner Chawan on June 15, 2004.

M E M O T O F I L E

DATE: June 15, 2004
FILE: 663-151/MBE
RE: Response to Office Action dated August 11, 2003

Examiner Vijay Chawan of the USPTO called today to ask if we had filed a response in this application. I advised her that we had originally filed the response with Examiner Lowe on January 9, 2004 by fax with a two-month extension of time and that we had resent it to the same fax number on April 28, 2004 in response to a telephone call from Patrick Edward of the USPTO saying that they had not received the fax.

She advised that the Examiner in charge of the file had left and that the file was put on her docket, but that when she checked the file it did not contain a response to the office action of Aug. 11/03. She also seemed surprised that the file had been put on her docket.

She said she will check into this matter and will call me if the response needs to be re-faxed.

Liz Forster